

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA**

CONSOLIDATION COAL COMPANY,)	
)	
Plaintiff,)	
)	
v.)	
)	
UNITED STATES DEPARTMENT OF THE)	
INTERIOR, NATIONAL PARK SERVICE, et al.)	
)	CIVIL ACTION No. 00-2120
Defendants)	
_____)	
ROY BRENDEL and DIANE BRENDEL)	
)	
Third-Party Plaintiffs,)	
)	
v.)	
)	
UNITED STATES DEPARTMENT OF THE)	
INTERIOR, NATIONAL PARK SERVICE, et al.)	
)	
Third-Party Defendants)	

STIPULATION OF DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED by and between Joseph A. Katarincic, Thorp Reed & Armstrong, LLP, counsel for Plaintiff and Third-Party Defendants, and David C. Hook, Hook & Hook, counsel for Defendants and Third-Party Plaintiffs, as follows:

1. All claims, demands, and any causes of action asserted or maintained in this action by any party thereto in the form of an original claim, counterclaim, third party claim, cross complaint, cross-claim, or otherwise and filed in the above action have been settled and are to be dismissed with prejudice and this action discontinued.

2. Each party shall assume its own costs.

Dated: July 24, 2006

/s/(with permission) David C. Hook

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Respectfully submitted,

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